



# NEWS

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This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action.  
See MCI v. FCC, 515 F 2d 385 (D.C. Circ 1974).

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## **FCC Chairman Michael Powell Reacts to Third Circuit Media Ownership Decision**

Today's decision perversely may make it dramatically more difficult for the Commission to protect against greater media consolidation. It sets near impossible standards for justifying bright-line ownership limits. The fear is realized in the opinion itself. The court rejected the Commission's effort to limit further radio consolidation. It also upheld the elimination of the newspaper cross-ownership rule, while rejecting our efforts to place reasonable limits on those combinations. This is deeply troubling and hampers the flexibility of the agency to protect the American public, as this agency is charged to do.

This is the second time a court has put aside exhaustive efforts by the expert agency to set numerical limits. This has created a clouded and confused state of media law. The chaotic results demonstrate the wisdom of Chief Judge Scirica's nearly 100 page dissent, where he says that "the Court has substituted its own policy judgment for that of the FCC and upset the ongoing review of broadcast media regulation mandated by Congress...."

We will thoroughly study this voluminous opinion and consider carefully our next steps.

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